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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,837	07/14/2003	Cheng-Da Shaw	3313-0993P	7996
2292	7590	03/17/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			THOMPSON, TIMOTHY J	
			ART UNIT	PAPER NUMBER
			2873	

DATE MAILED: 03/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/617,837

Applicant(s)

SHAW ET AL.

Examiner

Timothy J Thompson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 10/200,185.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Jiang et al.(U.S. Pat. Pub. 2001/0030789).

Regarding claim 1, Jiang et al. discloses a base defining two fixing positions for installation of the electronic device(fig 2, 205); a transmission unit emitting optical signals(FIG 2, 110) from the electronic device and contains a transmission circuit board(Fig 2, 106) with a plurality of pins(Fig 2, 113), the transmission circuit board being installed at one of the fixing positions(col 4, para 0063) on the base and having electrical communications with the electronic device via its a receiving unit receiving external optical signals to the electronic (col 4, para 0055) and contains a receiving circuit board(fig 2, 108) with a plurality of pins(fig 2, 117), the receiving circuit board being installed at the other the fixing position on the base and having electrical communications with the electronic device via its pins(col 4, 0063); and case covering the base to reduce EMI (Electromagnetic Interference) from the receiving circuit board and the transmission circuit board((fig 2, 119).

Claim Rejections - 35 USC § 103

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jiang et al.(U.S. Pat. Pub. 2001/0030789) in view of Deane(U.S. Pat. 6497518).

Regarding claim 2, Jiang et al. does not disclose the case is shaped as a sleeve into which the base is received so as to cover the outside surface of the base. However, Deane discloses a case shaped as a sleeve into which the base is received so as to cover the outside surface of the base(fig 2, 110), additionally, coupling the sleeve to the semiconductor package stating that by coupling the sleeve to the semiconductor package dissipates heat through the exposed surface area of the sleeve as well as screening EMI. It would have been obvious to one skilled in the art, at the time of the invention, to form the case as a sleeve into which the base is received so as to cover the outside surface of the base as shown by Deane, in the optical transceiver of Jiang et al., since as shown by Deane, a case shaped as a sleeve into which the base is received so as to cover the outside surface of the base are commonly used with transceivers so as to dissipate heat as quickly as possible, since this maximizes the surface area of the base cover, as well as shield the EMI.

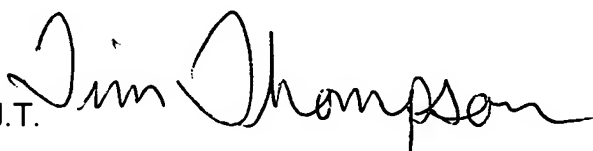
Regarding claim 3, Jiang et al. discloses the case has a longitudinal

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axis parallel to a longitudinal axis of the base(fig 1) extending in longitudinal axis transmission unit and said receiving unit(fig 1). Jiang et al. does not disclose the case having four sides parallel to said longitudinal axis to form a sleeve with a central opening direction for receiving said base. However, Deane discloses a case having four sides parallel to said longitudinal axis to form a sleeve with a central opening direction for receiving said base(fig 2, 110). It would have been obvious to one skilled in the art, at the time of the invention, to form the case having four sides parallel to said longitudinal axis to form a sleeve with a central opening direction for receiving said base as shown by Deane, in the optical transceiver of Jiang et al., since as shown by Deane, a case shaped having four sides parallel to said longitudinal axis to form a sleeve with a central opening direction for receiving said base are commonly used with transceivers so as to dissipate heat as quickly as possible, since this maximizes the surface area of the base cover, as well as shield the EMI.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Thompson whose telephone number is (571) 272-2342. If the examiner can not be reached his supervisor, Georgia Epps, can be reached on (571) 272-2328.

T.J.T. 

3/1/04